BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040 FACSIMILE: KARENVERF7
CENTRAL PAX CENTER

SEP 1 1 2007

FACSIMILE COVER SHEET

Deliver to: Joseph G. Ustaris, USPTO	Art Group:2623					
Facsimile No.: (571) 273-8300	Date: September 11, 2007					
From: Eric T. King, Reg. No. 44,188 Our Docket No.: K35A0807 / 5575.P004 Application No.: 09/872,197	Number of pages 14. including this sheet. Filing Date: 5/31/2001 Docket Due Date(s): 9/11/2007					
Enclosed are the following documents: Arnendment	□ Issue Fee Transmittal □ Notice of Appeal (In duplicate) □ Petition for. □ Request for Continued Examination (RCE) □ Reply Brief (pgs) □ Request & Certification Under 35 USC 122(b)(2)(B)(I) □ Request to Rescind Previous Nonpublication Request □ Response to Notice of Missing Parts & Formalities Letter □ Response to Written Opinion (pgs) □ Terminal Disclaimer □ Transmittal of Publication Fee Due					
CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A) I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trudemark Office.						

7/11/2007

Tu T. Nguyen

Date

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zalman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-8800 and ask for Tu T. Nguyen.

TO: USPTO REBEIVED CENTRAL PAX CENTER

SEP 1 1 2007

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/872,197		
		Filing Date	May 31, 2001		
		First Named Inventor	L. Jeffrey Kapner, III		
		Art Unit	2623		
		Examiner Name	Joseph O. Ustaris		
Total Number of Pages in This Submiss	ion 13	Attorney Docket Number	K35A0807		
ENCLOSURES (check all that apply)					
Fee Transmittal Form	Drawing(s)		After Allowance Communication to TC		
Fee Attached	Licensing-r	elated Papers	Appeal Communication to Board of Appeals and Interferences		
Amendment / Reply	Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final Afted		Application	Proprietary Information		
Extension of Time Request	l_	ttomey, Revocation Correspondence Address	Other Enclosure(s) (please identify below):		
Express Abandonment Request	Terminal D				
Information Disclosure Statement		- Aeluna			
PTO/SB/08	CD, Number of CD(s) Landscape Table on CD				
Certified Copy of Priority Document(e)					
Response to Missing Parts/ incomplete Application Basic Filing Fee Declaration/POA	Remarks				
Response to Missing Paris under 37 CFR 1.52 or 1.53		·			
SIGNATU	RE OF APPLICAN	IT, ATTORNEY, OR AG	ENT		
Firm Eric T. King, Reg. No. 44,188					
Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP					
Signature					
Date September 1	1, 2007				
CERTIFICATE OF MAILING/TRANSMISSION					
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.					
Typed or printed name Tu T. Nguy	en				
Signature /			ate September 11, 2007		
Beand on PTC/SB/21 (09-04) as modified by Blajely, Solok SEND TO: Commissional for Patents, P.O. Box 1450, July	rli, Yaylor & Zalman (ndc) 1 jandria, VA 22313-1450	0/12/2006.			

TO: USPTO RECEIVED P.3/14 CENTRAL FAX CENTER

SEP 1 1 2007

Date

CEE TO ANICHITTAL		Complete if Known						
FEE TRANSMITTAL for FY 2006		Application Numb		72,197				
		Filing Date	May	31, 2001 ffrey Kapner, III				
Patent food are subject to annual revision.			First Named Inver	Toscs	oh G. Ustar	is, u		
Applicant cla	Applicant claims small entity status. See 37 CFR 1.27.			Art Unit	2623		13	
TOTAL AMOL	JNT OF PAY	MENT	(\$)	Attorney Docket N		10807		
METHOD OF PAYMENT (check all that apply)								
Check Credit card Money Order None Other (please identify):								
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)								
For the abov	re-identifies	i deposit ac	count, the Director is h	ereby authorized Charce i	to: (check all that fee(s) indicated be	appiy) low. except :	for the filing fee	
Charge	tec(s) mais	cated below	r underpayment of fee(ny overpayments	· · · · · · · · · · · · · · · · · · ·		
De Charge	any addition of the second of	1.16. 1.17. J	.18 and 1.20.	Credit a	пу фускраумель			
FEE CALCULAT					•			
PEC CALOUDA	10.10							
Large Entity		nall Entity	_					
Fee Fe		e Fee	Fee Description	on			Fee Paid	
Code (\$	s) Co	de (\$)	. 00 2 000 mp					
1051	130 2		Surcharge - late					
1052	50 2	052 29	Surcharge - late	provisional f	iling fee or co	ver sheet	•	
2053	130 2	053 130	Non-English spe	Non-English specification				
1251	120 2	251 60	Extension for re	Extension for reply within first month				
1252	450 2	252 229	Extension for re	Extension for reply within second month				
1253 1	,020 2	253 610	Extension for re	Extension for reply within third month				
1254 1	,590 2	254 796	Extension for reply within fourth month					
1255 2	,160 2	255 1,080	Extension for re	Extension for reply within fifth month				
1401	500 2		Notice of Appea		•			
1402	500 2	402 250	• •	Filing a brief in support of an appeal				
1403 1	,000 2	403 500	Request for ora					
	,510 2		•	Petition to institute a public use proceeding				
1460	·	460 130	Petitions to the Commissioner					
1807	50 14	307 50	Processing fee	Processing fee under 37 CFR 1.17(q)				
1806	180 1		Submission of I			t	• .	
1809	790 18		Filing a submission				» ·	
1810	790 2		For each addition					
Other fee (specify)SUBTOTAL (2) (\$)								
				المنظية المراب المراب	0001			
SUBMITTED E	Υ					Comp	lete (if applicable)	
Name (Рам/Туре)	Eric T. K	ing		Registration No. (Altomey/Agent)	44,188	Telephone	(714) 557-3800	
	-					Date	09/11/07	

Signature

SEP 1 1 2007

Applicant claims amail orthly stakes. See 37 CFR 1.27. Examiner Name Joseph G. Ustaris	FEE TRANSMITTAL for FY 2006		Complete if Known						
Applicant etaims amaille orthy stature. See 37 CPR 1.27. Examiner Name Joseph G. Usturis Joseph G. Usturis Art Unit 2623 Art Unit 2624 Art Unit 2623 Art			Application Number 09/872,197						
Applicant claims a small artily stakes. See 37 CFR 1.27. Art Unit									
Applicant column animal animal states and seasons and seasons animal animal states. Seasons animal states animal seasons animal states. Seasons animal states animal seasons animal s	Patent free are subject to annual revision.								
METHOD OF PAYMENT (8) Attempty Docket No. R35A08€7	Applicant clair	ma amail entity s	talus. Se	9 37 CFR 1,27.				15	
METHOD OF PAYMENT (check all that apply) □Check □Credit card □ Money Order □None □Other (please identify): □Deposit Account Deposit Account Number: 92-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) □Charge fee(s) indicated below □Charge fee(s) indicated below, except for the filing fee or coath □Charge fee(s) indicated below, except for the filing fee □Charge fee(s) indicated below, except for fee(s) □Charge fee(s) indicated below, except for the filing fee or coath □Charge fee(s) indicated below, except for the filing fee or coath □Charge fee(s) indicated below. □Charge fee(s) in									
Check	TOTAL PARISON			***	Attorney occurs	10.01			
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafinan LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge enry additional fee(s) or underpayment of fec(s) Charge fee(s) indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for the filing fee or cath indicated below, except for each additional invention to be examined indicated below, except indicated below, except indicated below, except indindicated below, except indicated below, except indicated below, e									
Ror the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee									
Charge free(s) indicated below Charge any additional fee(s) or underpayment of fee(s) Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments Fee Paid Credit any overpayments Credit any overpayments Fee Paid Credit any overpayments Fee Paid Credit any overpayments Fee Paid Fee Pa	Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP								
Charge any additional fee(s) or underpayment of fee(s)	For the above	-identified dep	oosit acc	count, the Director is h	ereby authorized	to: (check all that	apply)	for the filing for	
Large Entity	☐ Charge f	ee(s) indicated	below	1			iow, except	for the lining for	
Large Entity	Charge a	my additional !	100(S) OF	underpayment of ice	(8) 🔀 Credit a	my overpayments	•		
Large Entity Small Entity Fee Fee Fee Fee Fee Code (\$) Fee Description Fee Paid			. 1-1/, 1	.16 aud 1.20.					
Fee Code (\$) Code (\$) Fee Code (\$) Fee Description Fee Paid 1051 130 2051 65 Surcharge - late filling fee or oath 1052 50 2052 25 Surcharge - late provisional filling fee or cover sheet. 2063 130 2053 130 Non-English specification 1251 120 2251 60 Extension for reply within first month 1252 450 2252 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within third month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,030 Extension for reply within fifth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 260 Filling a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1806 180 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filling a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	FEE CALCULATION	ON		<u> </u>	<u></u>				
Fee Code (\$) Code (\$) Fee Code (\$) Fee Description Fee Paid 1051 130 2051 65 Surcharge - late filling fee or oath 1052 50 2052 25 Surcharge - late provisional filling fee or cover sheet. 2063 130 2053 130 Non-English specification 1251 120 2251 60 Extension for reply within first month 1252 450 2252 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within third month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,030 Extension for reply within fifth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 260 Filling a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1806 180 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filling a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	Large Entity Small Entity								
Code (\$)			<u>-</u>					Eoo Boid	
1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet. 2063 130 2053 130 Non-English specification		- I		Fee Description	חכ			ree raid	
130 2053 130 Non-English specification	1051 1	130 2051							
1251 120 2251 60 Extension for reply within first month 1252 450 2252 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within third month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,080 Extension for reply within fourth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 260 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	1052	50 2052		_		iling fee or co	ver sheet		
1252 450 2252 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within third month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,080 Extension for reply within fifth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 260 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	2053 1	30 2053			Non-English specification				
1253 1,020 2253 510 Extension for reply within third month 1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,080 Extension for reply within fifth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 260 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) Other fee (specify) SUBTOTAL (2) (\$\$)	1251 1	120 2251			Extension for reply within first month				
1254 1,590 2254 795 Extension for reply within fourth month 1255 2,160 2255 1,080 Extension for reply within fifth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	1252 4	150 2252		Extension for reply within second month					
1255 2,160 2255 1,080 Extension for reply withlin fifth month 1401 500 2401 260 Notice of Appeal 1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	1253 1,0	2253							
1401 500 2401 250 Notice of Appeal 1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1254 1,5	90 2254							
1402 500 2402 250 Filing a brief in support of an appeal 1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify)	1255 2,1	160 2255	1,080	Extension for reply within fifth month					
1403 1,000 2403 500 Request for oral hearing 1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1401 5	500 2401							
1451 1,510 2451 1,510 Petition to institute a public use proceeding 1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1402 5	500 2402	260	Filing a brief in support of an appeal					
1460 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2)	1403 1,0	2403			Request for oral hearing				
1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1808 180 1808 180 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1451 1,5	10 2451	1,510	Petition to institute a public use proceeding					
1806 180 1806 Submission of Information Disclosure Stmt 1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1460 1	30 2460		Petitions to the Commissioner					
1809 790 1809 395 Filing a submission after final rejection (37 CFR § 1.129(a)) 1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1807	50 1807							
1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b)) Other fee (specify) SUBTOTAL (2) (\$)	1806 1	1806							
Other fee (specify)SUBTOTAL (2) (\$)	1809 7	90 1809							
SUBTOTAL (2) (\$)	1810 7							129(b))	
SUBTOTAL (2) (\$)	Other fee (specify)								
Complete III and Inches									
	Complete (If applicable)								
SUBMITTED BY Registration No. 44 199 Talenhame (714) 557-3800				T	Registration No.	44_188		T	
Name (Print/1)pp) Eric T. King (Automoy/Agent) 44,188 (Pictorial (714) 557-5800		CAR: 1. KING			(Ашатыуулдагі)	11,500	· · · · · · · · · · · · · · · · · · ·		

TO: USPTO

RECEIVED CENTRAL FAX CENTER

SEP 1 1 2007

Appl. No. 09/872,197 Amdt. Dated September 11, 2007 Reply to Office Action of June 11, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/872,197

Confirmation No. 1905

Applicant

L. Jeffrey Kapner III

Filed

5/31/2001

TC/A.U.

2623

Examiner

Joseph G. Ustaris

Docket No.

K35A0807

Customer No.

8791

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of June 11, 2007, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.